IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION.

FIRST APPEAL NO.119 OF 2004.

Abdul Razak Gafur Shaikh : Appellant.

versus

Mr.Shankar Vithoba Nanware

and anr. : Respondents.

Mr.M.A.Utsikar for the appellant.

CORAM : D.G.DESHPANDE,J.

DATED : 21st June 2005.

ORAL ORDER

1. Heard advocate for the appellant. This appeal is for enhancement of compensation. It is a case of temporary disablement out of a fracture to the right leg - tibia ad fibula . The tribunal awarded Rs.25,000/- . There is no evidence of any permanent disablement. The appellant was indoor patient at Sassoon Hospital for three days only. Though the tribunal has

held that it was 16% permanent disablement, what is nature of disablement is no where explained nor proved by the appellant. Hence there is no merit in this appeal. It is dismissed.

[D.G.DESHPANDE]

21/06/2005 JUDGE.